



I do hereby certify this to be a complete, accurate, and true copy of the document which is on file or is of record in the offices of the Texas Board of Nursing.
Patricia A. Johnson
Executive Director of the Board

BEFORE THE TEXAS BOARD OF NURSING

In the Matter of § AGREED ORDER
Registered Nurse License Number 534731 §
issued to NOEL G. SINGLETON § FOR DEFERRED DISCIPLINE

An investigation by the Texas Board of Nursing, hereinafter referred to as the Board, produced evidence indicating that NOEL G. SINGLETON, Registered Nurse License Number 534731, hereinafter referred to as Respondent, may be subject to discipline pursuant to Sections 301.452(b)(10)&(13) and 301.453, Texas Occupations Code.

An informal conference was conducted on August 29, 2017, in accordance with Section 301.464, Texas Occupations Code. Respondent appeared in person. Respondent was represented by Rodney Montes, Attorney at Law.

FINDINGS OF FACT

1. Prior to the institution of Agency proceedings, notice of the matters specified below in these Findings of Fact was served on Respondent and Respondent was given an opportunity to show compliance with all requirements of the law for retention of the license(s).
2. Respondent waived notice and hearing, and agreed to the entry of this Order.
3. Respondent's license to practice as a professional nurse in the State of Texas is in current status.
4. Respondent received an Associate Degree in Nursing from Angelo State University, San Angelo, Texas, on May 1, 1986. Respondent was licensed to practice professional nursing in the State of Texas on August 22, 1986.
5. Respondent's nursing employment history includes:

1986 - 2000	Registered Nurse	Unknown
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Respondent's nursing employment history continued:

2001 - 2012	Medical Transcriptioner	Unknown
04/2013 - 10/2013	Charge Nurse	Reagan County Care Center Big Lake, Texas
11/2013 - 11/2013	Staff Nurse	Abilene Behavioral Health Abilene, Texas
12/2013 - 01/2014	Hospital Liaison	Abilene State Supported Living Center Abilene, Texas
02/2014 - 01/2016	RN Registrar	Texas Nurse Connection Abilene, Texas
04/2014 - 08/2014	Charge Nurse	Windcrest Healthcare Center Abilene, Texas
09/2014 - 05/2015	RN Registrar	Texas Nurse Connection Abilene, Texas
06/2015 - 08/2015	Charge Nurse	Silver Spring Rehabilitation, Health and Living Abilene, Texas
06/2015 - 2016	Registered Nurse	Critical Health Connection San Angelo, Texas
09/2015 - 2017	Travel Nurse	One Staff Medical Omaha, Nebraska
02/2016 - 06/2016	Charge Nurse	Coronado Nursing Center Abilene, Texas
06/2017 - Present	Medical Reviewer	Blue Cross Blue Shield of Texas Abilene, Texas

6. At the time of the initial incident, Respondent was employed as a Charge Nurse with Coronado Nursing Center, Abilene, Texas, and had been in that position for three (3) months.

7. On or about May 24, 2016, while employed as a Charge Nurse with Coronado Nursing Center, Abilene, Texas, Respondent administered 30 milliliters (mL) of Milk of Magnesia to Patient TS without an order by the physician. Respondent's conduct unnecessarily exposed the patient to a risk of harm from administration of a medication without a physician's order, such as adverse reactions.
8. On or about May 28, 2016, May 29, 2016, and May 30, 2016, while employed as a Charge Nurse with Coronado Nursing Center, Abilene, Texas, Respondent failed to administer the correct dosage of Lantus insulin to Patient GC as ordered by the physician. Instead of administering the ordered 30 units of insulin, Respondent administered 15 units, and failed to notify the physician about the reduced dosage of insulin administered. Respondent's conduct exposed the patient to risk of harm in that failure to administer the medication as ordered by the physician could have resulted in non-efficacious treatment of the resident's condition.
9. On or about June 7, 2016, while employed as a Charge Nurse with Coronado Nursing Center, Abilene, Texas, Respondent failed to timely administer medications to Patients DS, JS, JH, and DB as ordered by the physician, and incorrectly documented the time of medications administered. Respondent's conduct exposed the patient to risk of harm in that failure to administer medications as ordered by the physician could have resulted in non-efficacious treatment of the resident's condition.
10. In response to the incident in Finding of Fact Number Seven (7), Respondent states that Patient TS refused the usual senna dose and asked for milk of magnesia instead. Respondent states that he granted this request without first checking the e-MAR because he believed that he had seen the order for it at an earlier time, and he did not have time to place a late-night call to the physician over milk of magnesia. In response to the incident in Finding of Fact Number Eight (8), Respondent states that the patient had previously demonstrated low blood glucose on several mornings, and after discussion with the patient and patient's husband, decided it prudent to reduce the nighttime dose in question. In response to the incident in Finding of Fact Number Nine (9), Respondent states that on said date, it was his last work shift at the facility, a night of "atrocious conditions" caused by severe short staffing. Respondent states that the unit's usual complement of two nurses had been scheduled, but it was decided that he should take on another's medication pass in addition to his own, so that the other nurse, an LVN, could perform nurse aide functions and otherwise assist on the other unit. Respondent states that he voiced misgivings and advised the supervisor and others that this was not going to work, but that he believes he was being "set up" for blame and termination. Respondent states that he arrived some two (2) hours late with the medications of the four (4) said patients, and apologized profusely. Respondent states that he accepts responsibility for not being able to perform more efficiently and save the day.

CONCLUSIONS OF LAW

1. Pursuant to Texas Occupations Code, Sections 301.451-301.555, the Board has jurisdiction over this matter.
2. Notice was served in accordance with law.
3. The evidence received is sufficient to prove violation(s) of 22 TEX. ADMIN. CODE §217.11(1)(A),(1)(C),(1)(D),(1)(M)&(3)(A) and 22 TEX. ADMIN. CODE §217.12(1)(A),(1)(B)&(4).
4. The evidence received is sufficient cause pursuant to Section 301.452(b)(10)&(13), Texas Occupations Code, to take disciplinary action against Registered Nurse License Number 534731, heretofore issued to NOEL G. SINGLETON.
5. Pursuant to Section 301.463(d), Texas Occupations Code, this Agreed Order is a settlement agreement under Rule 408, Texas Rules of Evidence, in civil or criminal litigation.

TERMS OF ORDER

I. SANCTION AND APPLICABILITY

IT IS THEREFORE AGREED and ORDERED that RESPONDENT SHALL receive the sanction of **WARNING WITH STIPULATIONS, DEFERRED**, in accordance with the terms of this Order.

- A. This Order SHALL apply to any and all future licenses issued to Respondent to practice nursing in the State of Texas.
- B. This Order SHALL be applicable to Respondent's nurse licensure compact privileges, if any, to practice nursing in the State of Texas.
- C. Respondent may not work outside the State of Texas in another nurse licensure compact party state without first obtaining the written permission of the Texas Board of Nursing and the Board of Nursing in the nurse licensure compact party state where Respondent wishes to work.

II. COMPLIANCE WITH LAW

While under the terms of this Order, RESPONDENT agrees to comply in all respects

with the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §§211.1 *et seq.*, and this Order.

Further, RESPONDENT SHALL not commit any violation of the Nursing Practice Act, Texas Occupations Code, §§301.001 *et seq.*, the Rules and Regulations Relating to Nurse Education, Licensure and Practice, 22 TEX. ADMIN. CODE §211.1 *et seq.* **for a period of three (3) years from the date of this Order.**

III. UNDERSTANDING BOARD ORDERS

Within thirty (30) days of entry of this Order, RESPONDENT must successfully complete the Board's online course, "Understanding Board Orders," which can be accessed on the Board's website from the "Discipline & Complaints" drop-down menu or directly at: <http://www.bon.texas.gov/UnderstandingBoardOrders/index.asp>. Upon successful completion, RESPONDENT must submit the course verification at the conclusion of the course, which automatically transmits the verification to the Board.

IV. REMEDIAL EDUCATION COURSE(S)

In addition to any continuing education requirements the Board may require for licensure renewal, RESPONDENT SHALL successfully complete the following remedial education course(s) **within one (1) year of the effective date of this Order, unless otherwise specifically indicated:**

- A. **A Board-approved course in Texas nursing jurisprudence and ethics** that shall be a minimum of six (6) hours in length. The course's content shall include the Nursing Practice Act, standards of practice, documentation of care, principles of nursing ethics, confidentiality, professional boundaries, and the Board's Disciplinary Sanction Policies regarding: Sexual Misconduct; Fraud, Theft and Deception; Nurses with Substance Abuse, Misuse,

Substance Dependency, or other Substance Use Disorder; and Lying and Falsification. Courses focusing on malpractice issues will not be accepted. Home study courses and video programs will not be approved.

- B. **A Board-approved course in medication administration** with a didactic portion of not less than six (6) hours and a clinical component of not less than twenty-four (24) hours. Both the didactic and clinical components must be provided by the same Registered Nurse. The course's content shall include: a review of proper administration procedures for all standard routes; computation of drug dosages; the six (6) rights of medication administration; factors influencing the choice of route; and possible adverse effects resulting from improper administration. The clinical component SHALL focus on tasks of medication administration only. The course description shall indicate goals and objectives for the course, resources to be utilized, and the methods to be used to determine successful completion of the course. Successful completion of this course requires RESPONDENT to successfully complete both the didactic and clinical portions of the course.
- C. **A Board-approved course in nursing documentation** that shall be a minimum of six (6) hours in length. The course's content shall include: nursing standards related to accurate and complete documentation; legal guidelines for recording; methods and processes of recording; methods of alternative record-keeping; and computerized documentation. Home study courses and video programs will not be approved.
- D. The course **“Sharpening Critical Thinking Skills,”** a 3.6 contact hour online program provided by the National Council of State Boards of Nursing (NCSBN) Learning Extension.

In order to receive credit for completion of this/these course(s), RESPONDENT SHALL CAUSE the instructor to submit a Verification of Course Completion form or SHALL submit the continuing education certificate, as applicable, to the attention of Monitoring at the Board's office. RESPONDENT SHALL first obtain Board approval of any course prior to enrollment if the course is not being offered by a pre-approved provider. *Information about Board-approved courses and Verification of Course Completion forms are available from the Board at www.bon.texas.gov/compliance.*

V. EMPLOYMENT REQUIREMENTS

In order to complete the terms of this Order, RESPONDENT must work as a nurse in the State of Texas, providing direct patient care in a clinical healthcare setting, for a minimum of

sixty-four (64) hours per month for four (4) quarterly periods [one (1) year] of employment. This requirement will not be satisfied until four (4) quarterly periods of employment as a nurse have elapsed. Periods of unemployment or of employment that do not require the use of a registered nurse (RN) or a vocational nurse (LVN) license, as appropriate, will not apply to this period and will not count towards completion of this requirement. Respondent's employment with Health Care Service Corporation / Blue Cross Blue Shield of Texas as a Medical Reviewer in Abilene, Texas, is an acceptable position for completing the requirement of this Order.

- A. **Notifying Present and Future Employers:** RESPONDENT SHALL notify each present employer in nursing and present each with a complete copy of this Order, including all attachments, if any, within five (5) days of receipt of this Order. While under the terms of this Order, RESPONDENT SHALL notify all future employers in nursing and present each with a complete copy of this Order, including all attachments, if any, prior to accepting an offer of employment.
- B. **Notification of Employment Forms:** RESPONDENT SHALL CAUSE each present employer in nursing to submit the Board's "Notification of Employment" form to the Board's office within ten (10) days of receipt of this Order. RESPONDENT SHALL CAUSE each future employer to submit the Board's "Notification of Employment form" to the Board's office within five (5) days of employment as a nurse.
- C. **Incident Reporting:** RESPONDENT SHALL CAUSE each employer to immediately submit any and all incident, counseling, variance, unusual occurrence, and medication or other error reports involving RESPONDENT, as well as documentation of any internal investigations regarding action by RESPONDENT, to the attention of Monitoring at the Board's office.
- D. **Nursing Performance Evaluations:** RESPONDENT SHALL CAUSE each employer to submit, on forms provided to the Respondent by the Board, periodic reports as to RESPONDENT'S capability to practice nursing. These reports shall be completed by the individual who supervises the RESPONDENT and these reports shall be submitted by the supervising individual to the office of the Board at the end of each three (3) month quarterly period for four (4) quarters [one (1) year] of employment as a nurse.

VI. EFFECT OF DEFERRED DISCIPLINE

Upon successful completion of the stipulated requirements of this Order, all encumbrances will be removed from Respondent's license(s) to practice nursing in the State of Texas, and RESPONDENT may be eligible for nurse licensure compact privileges, if any.

Upon the successful completion of the required three (3) year period of deferral, the complaint or complaints which formed the basis for this action will be dismissed and this Order will be made confidential to the same extent as a complaint filed under Section 301.466, Texas Occupations Code.

Until such time that this Order is made confidential, this Order is subject to disclosure in accordance with applicable law.

Should an additional allegation, complaint, accusation, or petition be reported or filed against Respondent prior to the time this Order is made confidential, the deferral period shall be extended until the allegation, accusation, or petition has been finally acted upon by the Board.

Should RESPONDENT commit a subsequent violation of the Nursing Practice Act or Board Rules, this Order shall be treated as prior disciplinary action.

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ADMIN LEGAL NURSING

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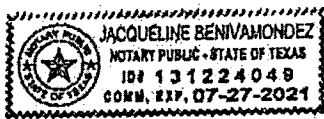
RESPONDENT'S CERTIFICATION

I understand that I have the right to legal counsel prior to signing this Agreed Order. I have reviewed this Order. I neither admit nor deny the violation(s) alleged herein. By my signature on this Order, I agree to the entry of this Order, and any conditions of said Order, to avoid further disciplinary action in this matter. I waive judicial review of this Order. I understand that when this Order becomes final and the terms of this Order become effective, a copy will be mailed to me. I understand that if I fail to comply with all terms and conditions of this Order, I will be subject to investigation and disciplinary sanction, including possible revocation of my license(s) to practice nursing in the State of Texas, as a consequence of my noncompliance.

Signed this 6th day of NOVEMBER, 2017
Noel C. Singleton
NOEL C. SINGLETON, Respondent

Sworn to and subscribed before me this _____ day of _____, 20____.

SEAL



Notary Public in and for the State of _____

Approved as to form and substance.

Rodney Montes
Rodney Montes, Attorney for Respondent

Signed this 15th day of November, 2017

State of Texas County of Taylor
Sworn to and subscribed before me this 14
day of November, 2017
Jacqueline Benivamondez Notary Public

WHEREFORE, PREMISES CONSIDERED, the Texas Board of Nursing does hereby ratify and adopt the Agreed Order for Deferred Discipline that was signed on the 6th day of November, 2017, by NOEL G SINGLETON, Registered Nurse License Number 534731, and said Order is final.

Effective this 12th day of December, 2017.



Katherine A. Thomas, MN, RN, FAAN
Executive Director on behalf
of said Board